

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephan BOHM

Royce W. JOHNSON

Serial No.: 10/594,400

Filed: September 26, 2006

For: METHOD AND APPARATUS FOR
CONTROLLING AT LEAST ONE
VENTILATION PARAMETER OF AN
ARTIFICIAL VENTILATOR FOR
VENTILATING THE LUNG OF A
PATIENT IN ACCORDANCE WITH A
PLURALITY OF LUNG POSITIONS

Group Art Unit: 3772

Examiner: Nihir B. Patel

Atty. Dkt. No.: ROT.709.US
(KCIN:061US)

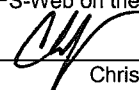
Confirmation No.: 2154

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

August 4, 2009

Date



Chris W. Spence

STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicants submit this status inquiry and hereby request an update regarding the issuance
of a first Office Action in the above-captioned application.

This application is a National Stage application under 35 U.S.C. § 371 of
PCT/US05/10741 that entered the National Stage in the United States on September 26, 2006.

The status of this application is listed in PAIR as "Docketed New Case – Ready for Examination" with a status date of 08-30-2008, and the transaction history of this application on PAIR indicates that it was "Docketed to Examiner in GAU" on 08-30-2008. A Notice of Acceptance of Application under 35 U.S.C. 371 was mailed on April 11, 2007.

The application record in PAIR does not include a First Action Prediction. Applicants therefore request an indication of when a first Office Action will be issued.

Respectfully submitted,



Chris W. Spence
Reg. No. 58,806
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
512.536.3035 (voice)
512.536.4598 (fax)

Date: August 4, 2009